

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WEST ALABAMA WOMEN'S CENTER, et
al.,

Plaintiffs,

v.

STEVE MARSHALL, in his official capacity
as Alabama Attorney General, et al.,

Defendants.

Civil Action No. 2:23-cv-00451-MHT-CWB

JOINT MOTION TO DISMISS THE DISTRICT ATTORNEY DEFENDANTS

In support of this motion, the parties state as follows:

1. Plaintiffs contend that the District Attorney Defendants William R. Adair, T. Kirke Adams, Scott Anderson, Daryl D. Bailey, Jeffrey Wade Barksdale, Stephen M. Billy, Keith Blackwood, Jennifer Bray, Robert L. Broussard, Danny Carr, Matthew Casey, Pamela Casey, Rick Chancey, Chris Connolly, Champ Crocker, Joseph D. Ficquette, Steven D. Giddens, Russ Goodman, Gregory S. Griggers, Andrew C. Hamlin, Lyle Harmon, Hal Hughston, Errek P. Jett, Brian C.T. Jones, Brian A. McVeigh, Walter M. Merrell, III, Jason R. Pierce, Ben C. Reeves, Jr., CJ Robinson, Mike Segrest, Summer McWhorter Summerford, Scott A. Slatton, James H. Tarbox, Charlotte M. Tesmer, Robert Turner, Jr., Jessica Ventiere, Lynneice Olive Washington, Todd Watson, Hays Webb, Joseph Willoughby, Robert E. Wilters, Stephen K. Winters, (hereinafter, collectively the "District Attorney Defendants") are proper Defendants in this action. However, in an effort to streamline this action, Plaintiffs agree to dismiss the District Attorney Defendants without prejudice from the action on the following conditions.

2. The District Attorney Defendants, and their employees, agents, and successors in

office agree to be bound by the terms of any injunctive (including but not limited to a temporary restraining order or preliminary injunction), declaratory, and/or other relief issued against the Attorney General and/or any other Defendants in this action. However, the District Attorney Defendants shall not be liable for any award of attorneys' fees, costs, or other monetary damages that might be included as part of such relief.

3. It is further understood and agreed that the District Attorney Defendants, and their employees, agents, and successors in office shall only be bound by injunctive, declaratory, and /or other relief falling within the preceding paragraph to the extent such relief remains binding against the Attorney General and/or any other Defendants in this action. The District Attorney Defendants, and their employees, agents, and successors in office shall not be bound by any relief as to the Attorney General and/or any other Defendants that subsequently is reversed, vacated, set aside, or otherwise limited. However, it is understood and agreed that the District Attorney Defendants, and their employees, agents, and successors in office will take no enforcement action inconsistent with any relief entered in this action premised on conduct that occurred while such relief was in effect. Furthermore, as consideration for the release of liability in this matter, the District Attorney Defendants, and their employees, agents, and successors in office waive their right to intervene in the above-captioned matter should it continue.

4. Pursuant to this Court's General Order and the Civil and Criminal Administrative Procedures regarding Electronic Case Filing, it is hereby certified that all signing parties have agreed to the electronic filing of this document by one party with electronic signatures of counsel for Plaintiffs and for the District Attorney Defendants.

Respectfully submitted,

/s/ Alison Mollman

Alison Mollman
ASB-8397-A33C

Alison Mollman
Alabama State Bar No. 8397-A33C
ACLU OF ALABAMA
P.O. Box 6179
Montgomery, AL 36106-0179
(510) 909-8908
amollman@aclualabama.org

Meagan Burrows*
New York State Bar No. 5341904
Alexa Kolbi-Molinas*
New York State Bar No. 4477519
Lindsey Kaley*
New York State Bar No. 5324983
Scarlet Kim*
New York State Bar No. 5025952
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2633
mburrows@aclu.org
akolbi-molinas@aclu.org
lkaley@aclu.org
scarletk@aclu.org

Lorie Chaiten*
Illinois State Bar No. 6191424
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
1640 North Sedgwick
Chicago, IL 60614
(212) 549-2633
lchaiten@aclu.org

Attorneys for Plaintiffs

** Admitted pro hac vice*

Steve Marshall
Attorney General

/s/ James W. Davis
James W. Davis (ASB-4063-I58J)
Deputy Attorney General

Benjamin M. Seiss (ASB-2110-O00W)
Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
STATE OF ALABAMA
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Telephone: (334) 242-7300
Fax: (334) 353-8400
Jim.Davis@AlabamaAG.gov
Ben.Seiss@AlabamaAG.gov

Counsel for Attorney General Steve Marshall

/s/ Brad A. Chynoweth
Brad A. Chynoweth (ASB-0030-S63K)
Assistant Chief Deputy, Civil Division

Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130-0152
(334) 242-7300
Brad.Chynoweth@AlabamaAG.gov

Counsel for the District Attorney Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of August, 2023, I electronically filed the foregoing with the Clerk of Court for the United States District Court for the Middle District of Alabama using the CM/ECF system thereby serving all counsel of record.

/s/ Alison Mollman
Alison Mollman
Alabama State Bar No. 8397-A33C
ACLU OF ALABAMA
P.O. Box 6179
Montgomery, AL 36106-0179
(510) 909-8908
amollman@aclualabama.org